

DANIEL J. JAMES
ATTORNEY AND COUNSELOR AT LAW
13TH FLOOR, AMERICAN BUILDING
30 EAST CENTRAL PARKWAY
CINCINNATI, OHIO 45202

(513) 721-1995

SUBURBAN OFFICE
4226 BRIDGETOWN ROAD
CINCINNATI, OHIO 45211
(513) 574-5400

October 19, 1994

Mr. Robert Grauvogel
Office of the Jury Commissioner
1st Floor
Hamilton County Courthouse
Cincinnati, Ohio 45202

HAND DELIVERED

Re: State of Ohio vs. Lee Moore
Case No.: B9400481
Trial Date: November 7, 1994

Dear Mr. Grauvogel:

Today I again spoke with Dennis Puthoff in Judge Morrissey's court room concerning this capital case which is still scheduled to start on Monday, November 7th. Dennis has asked me to drop off another copy of the Questionnaire that has been approved by the court for use in this case. I have enclosed a copy of this Questionnaire along with a copy of my letter of August 11, 1994.

Pursuant to our earlier discussions, it is my understanding that these questions will be given to a prospective panel of 75 jurors on Monday morning for their completion. When completed, your office will prepare copies for distribution to the court and counsel. I suggest that you should have five (5) copies prepared for distribution to Judge Morrissey and each of the four attorneys involved. The originals should be filed with the Clerk of Courts.

After the panel has completed and answered this questionnaire, they will be dismissed with the exception of those prospective jurors who claim hardship or inability to serve. These jurors will be examined and questioned by the court and counsel on Monday afternoon.

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Because the following day, Tuesday, November 8th, is election day and because of the closing of the courthouse, the panel will be instructed to return for voir dire on Wednesday morning.

Also, it is my understanding that you will have the answered questionnaire copied and available for counsel by Monday afternoon for use in examining jurors wishing to be excused.

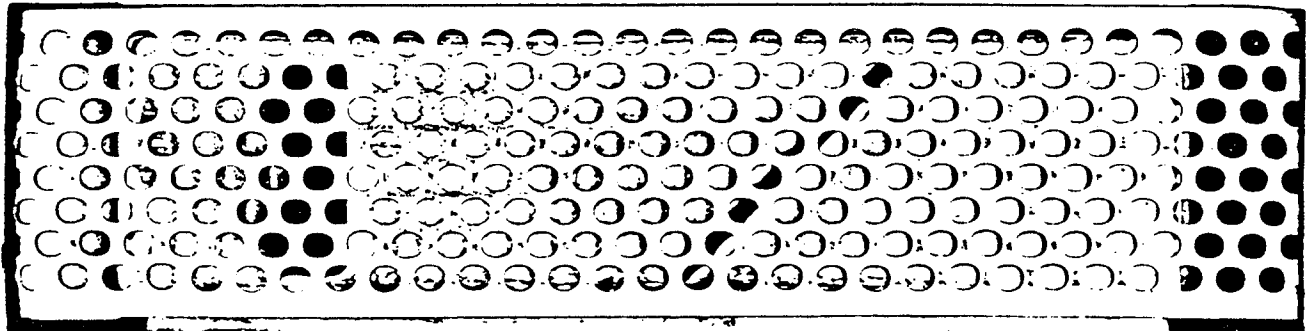
If you have any questions, I suggest you call Mr. Puthoff to work out the details of this procedure.

Sincerely yours,

Daniel J. James

DJJ/kw
Encl.

cc: Dennis Puthoff
Mark Piepmeier



Planned Fritz Meyer

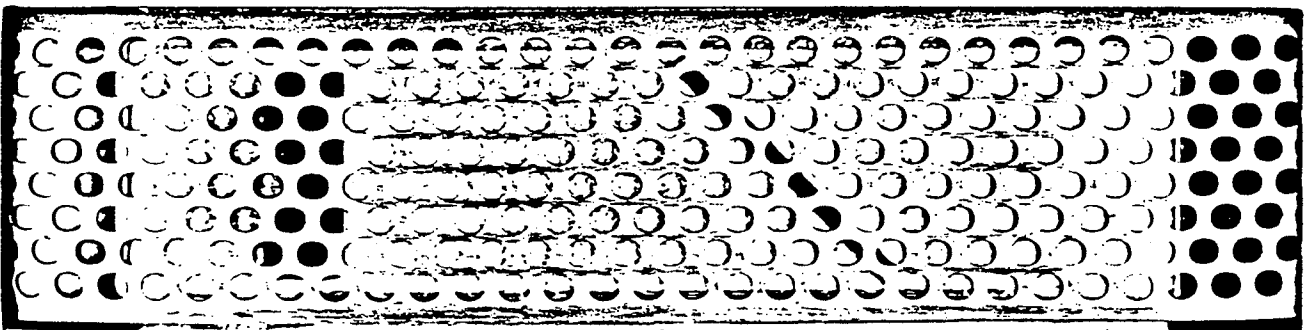
632-6800

No need for excuses - they
will pick up will be available for
3:00

- Both sides 7:00

- 7:00 availability 3:00 PM
Mundy

- Start work on Wed



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September 23, 1994

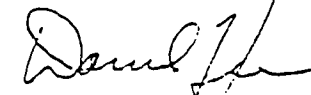
Ms. Jenny O'Donnell
Community Diagnostic & Treatment Center
909 Sycamore
Cincinnati, Ohio 45202

Re: Lee Moore
Case No.: B9400481

Dear Jenny:

Pursuant to our conversation on Friday afternoon, I am enclosing a copy of the transcript of Mr. Moore's statement. I have also written to Mr. Stidham and asked him to provide us with the mitigation information he has been able to obtain. Hopefully, I'll have something for you next week.

Sincerely yours,


Daniel J. James

DJJ/kw

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September 23, 1994

Mr. Chuck Stidham
Attorney at Law
317 West Benson Street
Reading, Ohio 45215

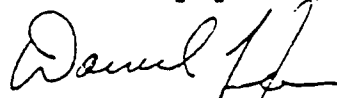
Re: State of Ohio vs. Lee Moore
Case No.: B9400481

Dear Chuck:

Even though Mr. Moore's case has been reset and is scheduled to start on November 7, 1994, we need to review the mitigation information that you have obtained. Accordingly, I ask you to deliver all of this material to my office sometime next week.

I have also been contacted by Dr. Chiappone's office and he is anxious to review this material as well. Again, please provide me with what you have gathered. I look forward to hearing from you next week.

Sincerely yours,


Daniel J. James

DJJ/kw

003129

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August 23, 1994

Mr. Timothy J. Deardorff
Deardorff & Haas
2368 Victory Parkway
Suite #300
Cincinnati, Ohio 45206

Re: State of Ohio vs. Lee Moore

Dear Tim:

Please find enclosed a copy of the attached Motion and Questionnaire which was filed back on May 27, 1994. The Court granted this Motion and approved the Questionnaire at the hearing conducted June 27, 1994.

I have already submitted this questionnaire to Mr. Grauvogel of the Jury Commissioner's Office and instructed him that this is the form that needs to be completed by the panel that is to be summoned in November. I believe this questionnaire also contains a majority of the same questions you included in your letter of August 12th.

Feel free to look this over and call me if you have any questions.

Sincerely yours,

Daniel J. James

DJJ/kw
Encl.

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August 12, 1994

David Chiappone, Ph.D.
Community Diagnostic & Treatment Center
900 Sycamore Street
Suite #300
Cincinnati, Ohio 45202

Re: State of Ohio vs. Lee Moore
Case No.: B9400481

Dear Dr. Chiappone:

Enclosed please find a copy of the Entry Granting Motion For Appointment of Psychologist To Assist In Preparation Of Defense. You will note that in the body of the Entry you are noted as the doctor to assist the defense.

Sincerely yours,

Daniel J. James

DJJ/kw
Encl.

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DANIEL J. JAMES
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August 12, 1994

David Chiappone, Ph.D.
Community Diagnostic & Treatment Center
900 Sycamore Street
Suite #300
Cincinnati, Ohio 45202

Re: State of Ohio vs. Lee Moore
Case No.: B9400481

Dear Dr. Chiappone:

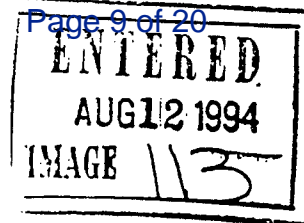
Enclosed please find a copy of the Entry Granting Motion For Appointment of Psychologist To Assist In Preparation Of Defense. You will note that in the body of the Entry you are noted as the doctor to assist the defense.

Sincerely yours,

Daniel J. James

DJJ/kw
Encl.

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COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

STATE OF OHIO

Plaintiff

vs.

LEE MOORE

Defendant

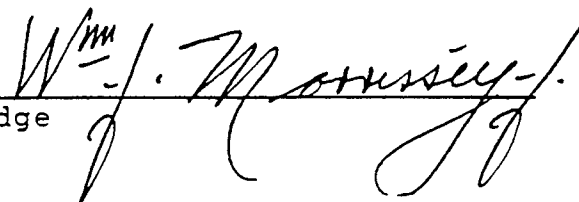
Case No. B9400481

Judge Morrissey

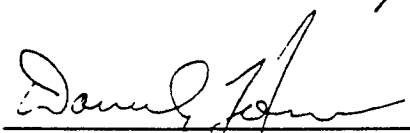
ENTRY GRANTING MOTION FOR
APPOINTMENT OF PSYCHOLOGIST
TO ASSIST IN PREPARATION OF
DEFENSE

The Motion of the Defendant for Appointment Of Psychologist To Assist In Preparation Of Defense is found to be well taken and is hereby granted.

The Court appoints Dr. David Chiappone of the Community Diagnostic and Treatment Center to assist the defense in this proper presentation of both phases of trial herein.


Judge


Assistant Hamilton County Prosecutor


Daniel J. James #0008067
Attorney for Defendant
30 E. Central Pkwy.
13th Flr. - American Bldg.
Cincinnati, Ohio 45202
(513) 721-1995

003133

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

STATE OF OHIO

CASE NO.

B9400481

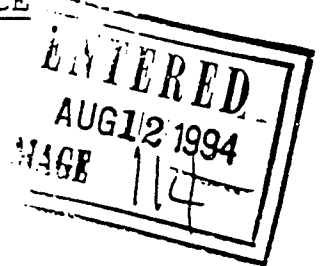
Plaintiff

- vs -

ENTRY OF CONTINUANCE

Lee Moore

Defendant



This matter is hereby continued:

At the request of the State

X At the request of the DefendantAt the request of counsel for the
state and counsel for the defendant

On the Court's order

and with the Court's consent to the 7th day of November, 1994
at 9:00 A.M., for the purpose of :

DSC

Plea or Trial Setting

Competency Hearing

Motion to Suppress

Plea

X Trial

Other

Reason: Defendant requests this continuance for the reason that the
court appointed psychologist requires additional time for preparation.
Defendant agrees to this continuance and agrees to waive time limits
pursuant to provisions for speedy trial.

Paul Repner

Assistance Prosecuting Attorney

Daniel J. Jones J-074
 Attorney for Defendant 8067

X Gee E. Moore Jr.
 Defendant

(CHECK APPROPRIATE BLANKS ABOVE)

003134

Wm. J. Morrissey Jr.
 Judge

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

STATE OF OHIO

CASE NO.

B9400481

Plaintiff

- vs -

ENTRY OF CONTINUANCE

Lee Moore

Defendant



This matter is hereby continued:

 At the request of the State X

At the request of the Defendant

 At the request of counsel for the
state and counsel for the defendant

On the Court's order

and with the Court's consent to the 7th day of November, 1994
at 9:00 A.M., for the purpose of :

DSC

Plea or Trial Setting

Competency Hearing

Motion to Suppress

Plea

 X

Trial

Other

Reason: Defendant requests this continuance for the reason that the
expert appointed psychologist requires additional time for preparation.
Defendant agrees to this continuance and agrees to waive time limits
pursuant to provisions for speedy trial.

Mark Piepmeyer

Assistance Prosecuting Attorney

Daniel J. Finner J-074
 Attorney for Defendant 8067

X Gee E. Moore Jr.
 Defendant

(CHECK APPROPRIATE BLANKS ABOVE)

003135

Wm. J. Morrissey
 Judge

DEARDORFF & HAAS
ATTORNEYS AT LAW

TIMOTHY J. DEARDORFF
LOREN S. HAAS
JAMES S. GINOCCHIO

2368 VICTORY PARKWAY, SUITE 300
CINCINNATI, OHIO 45206
(513) 872-7900
FAX 281-6760

August 12, 1994

Mr. Daniel James, Esq.
1300 American Building
30 E. Central Parkway
Cincinnati, Ohio 45202

Re: Moore

Dear Dan:

Please find enclosed a copy of Prospective Juror Questionnaire that we may want to review together in our preparation for our own jury questionnaires for the upcoming trial in November. If you have any questions, please contact me.

Very truly yours,

DEARDORFF & HAAS

TIMOTHY J. DEARDORFF

TJD/jp
enclosure

PROSPECTIVE JUROR QUESTIONNAIRE

GENERAL BACKGROUND

1. Name, Address (nearest major intersection), Age, Race, Nationality and Place of Birth.

2. How long have you lived at your current address?

3. How long have you lived in Hamilton County?

4. If you have lived at other addresses in the past ten years, please list beginning with most recent:

5. Do you own _____ rent _____ your home? If neither, please explain.

EDUCATION:

6. Please check one: _____ less than high school
_____ high school
_____ some college
_____ B.A. _____ B.S.
_____ M.A. _____ M.S.
_____ Other graduate degree, please describe _____

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13. Do you have any supervisory responsibilities? If you, how many people do you supervise and what do they do?

14. Do you have a second job? If yes, please describe what you do.

15. Have you had other employment in the past ten years? If yes, list prior places of employment, address, length of time at each, and job description for each prior employment.

MARITAL STATUS:

16. Please check: ☐ married ☐ separated
 ☐ single ☐ widowed
 ☐ divorced ☐ living w/non-
 marital mate

17. If married or with mate, for how long? Is your spouse or mate currently employed, unemployed, retired, a homemaker or a student?

18. If employed, please describe what type of work your spouse or mate does, including name and location of employer, and length of time at the position.

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19. If your spouse or mate is retired, presently unemployed or disabled please answer the question above for the last job.

20. What is the educational background of your spouse or mate?

CHILDREN:

21. Do you have children? If so, how many, ages, sex, and last grade completed.

22. Their occupations, locations of employment and marital status, if adults.

23. Do your children presently live with you or, if now adults, did they live with you while growing up? If no, please explain.

RELIGION:

24. What is your religious affiliation/denomination, if any?

25. Do you attend a church/temple?
If yes, how frequently?

26. What church/temple attended?

FAMILY BACKGROUND:

27. Where did you grow up?

MILITARY SERVICE:

28. Have you ever served in the military? If yes, when, where, how long, branch, highest rank and job.

HEALTH:

29. Do you have any specific health problems of a serious nature that might make it difficult or uncomfortable for you to sit as a juror in this case? If yes, please describe.

30. Are you taking any medication regularly that might make it difficult for you to pay attention or concentrate for long periods of time.

31. Is there any pressing business or personal matter that might interfere with the time it may take to render a decision in this case? If yes, please describe.

AFFILIATIONS:

32. Do you belong to any social, fraternal, recreational, athletic groups? If yes, please describe.

33. Offices held now or in the past in any of these groups? If yes, describe the position and what it involved.

SPARE TIME:

34. What television programs do you watch?

35. What type of books do you enjoy reading?

36. Which magazines do you read?

MEDIA:

37. Do you get more of your news from (circle one):

- a. newspapers
- b. magazines
- c. radio/T.V.

38. Which newspapers/news magazines do you read regularly?

39. What news programs do you listen to or watch most often?

40. Do you follow criminal cases or crime stories in the news? If yes, which cases have you followed?

41. Do you follow stories about the functioning of the criminal justice system? If yes, which stories and how do these stories make you feel about the criminal justice system?

JURY EXPERIENCE:

42. Have you served as a juror before? If yes, when and where?

43. Criminal or civil? If civil, what was the issue? If criminal, what type of charges?

44. Were you he foreperson?

45. Without disclosing the result, did the jury reach a verdict in all cases? If no, describe type of case.

WITNESS EXPERIENCE:

46. Have you ever testified as a witness in a criminal or civil case? If so, what type of case and in what capacity did you testify?

47. Have you ever witnessed a crime or situation calling for your observations? If yes, please describe when and under what circumstances.

48. In addition, if you ever filed a report with the police, please describe when and under what circumstances.

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CRIMINAL RECORD

49. Have you or a member(s) of your family, or someone close to you ever been arrested for or charged with a criminal offense?

50. How was this person related to you?

51. Were you (they) convicted?

VICTIM EXPERIENCE:

52. Have you, or any member of your family, or close friend ever been a victim of a crime? If yes, who, when and what happened?

53. How had the experience affected your feelings about the criminal justice system?

LITIGATION EXPERIENCE:

54. Have you ever been a party to a lawsuit or filed a claim against a government agency? If yes, please explain.